

Remarks

The Office Action dated February 10, 2005 has been carefully reviewed and the foregoing amendment has been made in consequence thereof.

Claims 1, 3-13 and 15-18 are pending in this application. Claims 1-3 stand rejected. Claims 4-6 stand objected to. Claims 2 and 14 have been cancelled. Claims 7-13 and 15-18 are allowed.

The rejection of Claims 1-3 under 35 U.S.C. § 103(a) as being unpatentable over Steffenhagen (US 5,117,654) in view of Dick (US 4,881,862) is respectfully traversed.

Steffenhagen describes an ice dispenser that includes a container for storing ice cubes. An ice conveyor transfers ice cubes from the storing container and includes a wire auger and a cylindrical sleeve surrounding the auger which rotates with the auger. The cylinder has an outer wall that includes a helical rib extending outwardly from the outer wall to move ice cubes forward at a slower rate than the wire auger.

Dick describes a screw seal for conveying bulk particulate solids between spaces at different gas pressure. The seal includes a tubular housing that encloses a screw conveyor that includes a screw flight. The tubular housing includes a plurality of inwardly projecting ribs that extend longitudinally from one end of the tubular housing to the other end. The purpose of the ribs is to prevent rotation of the solids within the tubular housing.

Claim 1 of the present application recites an ice maker assembly for a refrigerator, that includes a bottom wall, opposing side walls extending from said bottom wall, a front wall, and a back wall with the bottom wall, the side walls, the front wall, and the back wall defining an ice collection cavity. The assembly also includes a plurality of ribs extending from the bottom wall

into the ice collection cavity, and a rotatable auger extending between the front and back walls where each rib extends from a side wall towards the auger.

Steffenhagen and Dick, alone or in combination, do not describe nor suggest an ice maker assembly as recited in Claim 1. Particularly, Steffenhagen and Dick, alone or in combination, do not describe nor suggest an ice maker assembly that includes an ice collection cavity that includes a plurality of ribs extending from the bottom wall into the ice collection cavity where each rib extends from a side wall towards the auger. Rather, Steffenhagen describes a helical rib extending outwardly from the outer wall of the cylindrical sleeve of the ice conveyor to move ice cubes forward at a slower rate than the wire auger. Dick describes a plurality of inwardly projecting ribs that extend longitudinally from one end of the tubular housing of the bulk conveyor to the other end.

Applicants submit that modifying the Steffenhagen ice conveyor with the longitudinally ribs of the Dick bulk conveyor does not describe nor suggest the icemaker assembly recited in Claim 1. Particularly, the modified Steffenhagen ice dispenser does not include an ice maker assembly that includes an ice collection cavity that includes a plurality of ribs extending from the bottom wall into the ice collection cavity where each rib extends from a side wall towards the auger. Further, even if, *arguendo*, the longitudinal ribs of Dick were added to the bottom wall of the storing container of Steffenhagen, these longitudinal ribs would not extend from the side walls of the storing container towards the auger, but rather from the front wall to the back wall of the storing container.

Further, Applicants respectfully disagree with the suggestion at page 2 of the Office Action that "it would be obvious to provide Steffenhagen with ribs, in view of Dick, for the

purpose of positively guiding the ice into the cavity". Dick specifically describes at Col. 2 lines 65 -67, that the purpose of the longitudinally extending ribs is to prevent rotation of the solids within the housing of the sealing section. Applicants submit that the longitudinally extending ribs of Dick when added to the Steffenhagen assembly would not positively guide the ice into the cavity. Therefore, it would not be obvious to one skilled in the art to modify the storing container of Steffenhagen with the longitudinal ribs of Dick for the purpose of positively guiding the ice into the cavity.-

Still further, Applicants respectfully disagree with the suggestion at page 2 of the Office Action that "the placement of the ribs is considered to be a matter of obvious choice, as no criticality or unexpected results are seen or have been demonstrated for the ribs being located on the bottom wall". Applicants submit that paragraph[0027] of the present application explains that:

Ribs 188 aid in guiding ice pieces 160 into auger 190 for dispensing. Ribs 188 also maintain ice cubes 160 in position within ice collection cavity 186 and create a "positive pressure" to assist in feeding ice cubes 160 into auger 190. Ribs 188 further act to break ice pile forces to permit ice to feed into auger 190, and act to break the ice into sections to permit the sections of ice to act independently.

Accordingly, Applicants submit that the criticality of the configuration of the plurality of ribs has been explained.

At least for the reasons explained above, Applicants submit that Claim 1 is patentable over Steffenhagen and Dick, alone or in combination.

Claim 2 has been canceled.

Claim 3 depends from independent Claim 1. When the recitations of dependent Claim 3 are considered in combination with the recitations of Claim 1, Applicants respectfully submit that Claim 3 likewise is patentable over Steffenhagen and Dick, alone or in combination.

For the reasons set forth above, Applicants respectfully request that the Section 103(a) rejection of Claims 1-3 be withdrawn.

The objection to Claims 4-6 as being dependent upon a rejected base claim is respectfully traversed.

As explained above, independent Claim 1 is patentable over the cited art. Claims 4-6 depend from independent Claim 1. When the recitations of dependent Claims 4-6 are considered in combination with the recitations of Claim 1, Applicants respectfully submit that Claims 4-6 likewise are patentable over the cited art.

For the reasons set forth above, Applicants respectfully request that the objection to Claims 4-6 be withdrawn.

In view of the foregoing amendments and remarks, all the claims now active in this application are believed to be in condition for allowance. Favorable action is respectfully solicited.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Michael Tersillo", is written over a horizontal line.

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